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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/756,579	01/08/2001	John L. Reid	INTL-0463-US (P9817)	5624
7590	04/07/2004		EXAMINER	
Timothy N. Trop TROP, PRUNER & HU, P.C. STE 100 8554 KATY FWY HOUSTON, TX 77024-1805			BULLOCK JR, LEWIS ALEXANDER	
			ART UNIT	PAPER NUMBER
			2126	
			DATE MAILED: 04/07/2004	
				2

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No.	Applicant(s)
	09/756,579	REID, JOHN L.
	Examiner	Art Unit
	Lewis A. Bullock, Jr.	2126

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) Responsive to communication(s) filed on \_\_\_\_\_.
- 2a) This action is **FINAL**.                                    2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) Claim(s) 1-20 is/are pending in the application.
  - 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 1-20 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 08 January 2001 is/are: a) accepted or b) objected to by the Examiner.
 

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) All    b) Some \* c) None of:
    1. Certified copies of the priority documents have been received.
    2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) Notice of References Cited (PTO-892)
- 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) Notice of Informal Patent Application (PTO-152)
- 6) Other: \_\_\_\_\_.

## DETAILED ACTION

### ***Specification***

#### **Content of Specification**

- (a) **Title of the Invention:** See 37 CFR 1.72(a) and MPEP § 606. The title of the invention should be placed at the top of the first page of the specification unless the title is provided in an application data sheet. The title of the invention should be brief but technically accurate and descriptive, preferably from two to seven words may not contain more than 500 characters.
- (b) **Cross-References to Related Applications:** See 37 CFR 1.78 and MPEP § 201.11.
- (c) **Statement Regarding Federally Sponsored Research and Development:** See MPEP § 310.
- (d) **Incorporation-By-Reference Of Material Submitted On a Compact Disc:** The specification is required to include an incorporation-by-reference of electronic documents that are to become part of the permanent United States Patent and Trademark Office records in the file of a patent application. See 37 CFR 1.52(e) and MPEP § 608.05. Computer program listings (37 CFR 1.96(c)), "Sequence Listings" (37 CFR 1.821(c)), and tables having more than 50 pages of text were permitted as electronic documents on compact discs beginning on September 8, 2000.

Or alternatively, **Reference to a "Microfiche Appendix":** See MPEP § 608.05(a). "Microfiche Appendices" were accepted by the Office until March 1, 2001.

- (e) **Background of the Invention:** See MPEP § 608.01(c). The specification should set forth the Background of the Invention in two parts:
  - (1) **Field of the Invention:** A statement of the field of art to which the invention pertains. This statement may include a paraphrasing of the applicable U.S. patent classification definitions of the subject matter of the claimed invention. This item may also be titled "Technical Field."
  - (2) **Description of the Related Art including information disclosed under 37 CFR 1.97 and 37 CFR 1.98:** A description of the related art known to the applicant and including, if applicable, references to

specific related art and problems involved in the prior art which are solved by the applicant's invention. This item may also be titled "Background Art."

- (f) Brief Summary of the Invention: See MPEP § 608.01(d). A brief summary or general statement of the invention as set forth in 37 CFR 1.73. The summary is separate and distinct from the abstract and is directed toward the invention rather than the disclosure as a whole. The summary may point out the advantages of the invention or how it solves problems previously existent in the prior art (and preferably indicated in the Background of the Invention). In chemical cases it should point out in general terms the utility of the invention. If possible, the nature and gist of the invention or the inventive concept should be set forth. Objects of the invention should be treated briefly and only to the extent that they contribute to an understanding of the invention.
- (g) Brief Description of the Several Views of the Drawing(s): See MPEP § 608.01(f). A reference to and brief description of the drawing(s) as set forth in 37 CFR 1.74.
- (h) Detailed Description of the Invention: See MPEP § 608.01(g). A description of the preferred embodiment(s) of the invention as required in 37 CFR 1.71. The description should be as short and specific as is necessary to describe the invention adequately and accurately. Where elements or groups of elements, compounds, and processes, which are conventional and generally widely known in the field of the invention described and their exact nature or type is not necessary for an understanding and use of the invention by a person skilled in the art, they should not be described in detail. However, where particularly complicated subject matter is involved or where the elements, compounds, or processes may not be commonly or widely known in the field, the specification should refer to another patent or readily available publication which adequately describes the subject matter.
- (i) Claim or Claims: See 37 CFR 1.75 and MPEP § 608.01(m). The claim or claims must commence on separate sheet or electronic page (37 CFR 1.52(b)(3)). Where a claim sets forth a plurality of elements or steps, each element or step of the claim should be separated by a line indentation. There may be plural indentations to further segregate subcombinations or related steps. See 37 CFR 1.75 and MPEP § 608.01(i)-(p).
- (j) Abstract of the Disclosure: See MPEP § 608.01(f). A brief narrative of the disclosure as a whole in a single paragraph of 150 words or less commencing on a separate sheet following the claims. In an international application which has entered the national stage (37 CFR 1.491(b)), the

applicant need not submit an abstract commencing on a separate sheet if an abstract was published with the international application under PCT Article 21. The abstract that appears on the cover page of the pamphlet published by the International Bureau (IB) of the World Intellectual Property Organization (WIPO) is the abstract that will be used by the USPTO. See MPEP § 1893.03(e).

(k) Sequence Listing. See 37 CFR 1.821-1.825 and MPEP §§ 2421-2431. The requirement for a sequence listing applies to all sequences disclosed in a given application, whether the sequences are claimed or not. See MPEP § 2421.02.

1. The disclosure is objected to because of the following informalities: The specification does not include a brief summary of the invention.

Appropriate correction is required.

#### ***Claim Rejections - 35 USC § 112***

2. Claims 3, 11, and 19 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Applicant details that each application defines an address space of said shared memory specific to each application. The examiner has not found any disclosure of each application defining the address space of the shared memory to which it has access. The examiner has found disclosures of when applications are started, the operating system assigns virtual address space to the application (pg. 6, lines 9-11) or that before the application uses the share object, it calls an INIT method that makes sure that duplicates the member data specific to that application in the shared memory and returns a pointer to the application (pg. 7, lines 1-18). In addition, the specification details that the application is not aware of specific

member data in the class object to be shared (pg. 7, lines 19-21). Therefore, the application cannot define an address space of said shared memory as claimed.

3. Claims 5 and 13 recite the limitation "the address space specific to each application" in lines 2-3. There is insufficient antecedent basis for this limitation in the claim. There is no prior mentioning of an address space, therefore, either the limitation should read "an address space specific to each application" or the claim should depend from claims 3 and 11 respectfully and not claims 4 and 12.
4. Claims 6-8 and 14-16 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claim 6 details defining a share class and using the share class to execute an instance of a class to share. The examiner cannot assert as to what this claim is intended to mean. It could mean that the share class is the class the applications are enabled to share as detailed in the independent claims, or it could mean there exist another share class that executes the instance of the class the applications are enabled to share. Clarification is requested.
5. Claims 7 and 15 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claims 7 and 15 detail invoking a sharable interface of the class to obtain a handle. It cannot be ascertain as to which class Applicant is

referring to. The class is either the class that was enabled to be shared by the applications, the share class, or the instance of a class to share.

6. Claims 8 and 16 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claims 8 and 16 detail the specifying the handle to resolve the context of the handle. The examiner has not been able to find any teaching in the specification wherein the handle is used to resolve the context of the handle. The examiner has found teachings of using the handle to resolve the context of the application (see pg. 7, lines 11-18; pg. 8, lines 5-15).

***Claim Rejections - 35 USC § 102***

7. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

8. Claims 1, 4-7, 9, 12-15, 17 and 20 are rejected under 35 U.S.C. 102(e) as being anticipated by CZAJKOWSKI (US 6,567,974).

As to claim 1, CZAJKOWSKI teaches a method comprising: running at least two applications (applications); and enabling the applications to share a class (application class / system class) (see fig. 3-5; col. 10, line 8 – col. 11, line 55).

As to claim 4, CZAJKOWSKI teaches duplicating process specific data (static field / static field class) for each application (applications) (col. 12, lines 20-45).

As to claim 5, CZAJKOWSKI teaches automatically (during run-time) duplicating process specific data (static field / static field class) in the address space specific to each application (separate copy of the field for each application) (col. 12, lines 12-45; col. 13, lines 1-6; col. 18, lines 9-12).

As to claim 6, CZAJKOWSKI teaches defining a share class (modified original class) and using the share class to execute an instance of a class to share (col. 12, line 20 – col. 13, line 15).

As to claim 7, CZAJKOWSKI teaches invoking a sharable interface of the class (operable functionality of the access methods class) to obtain a handle (identity) (via access methods class being operable to extract the application identity from the current thread through the modified original class) (col. 13, lines 1-15).

As to claims 9 and 12-15, reference is made to an article that corresponds to the method of claims 1 and 4-7 and is therefore met by the rejection of claims 1 and 4-7 above.

As to claims 17 and 20, reference is made to a system that corresponds to the method of claims 1 and 4 and is therefore met by the rejection of claims 1 and 4 above.

***Claim Rejections - 35 USC § 103***

9. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

10. Claims 2, 3, 8, 10, 11, 16, 18, and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over CZAJKOWSKI (US 6,567,974).

As to claim 2, CZAJKOWSKI teaches enabling each application on a computer system to use memory (col. 6, lines 56 – col. 8, line 8) in sharing a class (abstract). CZAJKOWSKI also teaches that the memory is representative of various types of possible memory media (col. 7, lines 2-11). However, CZAJKOWSKI does not mention that the memory is shared memory.

Official Notice is taken in that shared memory is well known in the art and would be obvious in view of CZAJKOWSKI to share a class in shared memory.

As to claim 3, CZAJOWSKI teaches defining an address space (via separate copies of the static field) specific to each application (col. 12, lines 20-45).

As to claims 8, CZAJKOWSKI teaches specifying the handle (identity) to resolve the context (via the access methods class being operable to extract the application identity from the current thread through the modified original class to invoke the correct copy of the static field class) (col. 13, lines 1-15). However, CZAJKOWSKI does not teach that the handle is specified in a method call.

Official Notice is taken in that it is well known in the art that objects and classes communicate with one another through method calls. Therefore, it would be obvious to one skilled in the art to modify the teachings of CZAJKOWSKI in order to retrieve the identity from a thread object through a method call in order for the objects (thread object / access methods class / modified original class) to communicate with one another.

As to claims 10, 11 and 16, reference is made to an article that corresponds to the method of claims 2, 3 and 8 and is therefore met by the rejection of claims 2, 3 and 8 above.

As to claims 18 and 19, reference is made to a system that corresponds to the method of claims 2 and 3 and is therefore met by the rejection of claims 2 and 3 above.

***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lewis A. Bullock, Jr. whose telephone number is (703) 305-0439. The examiner can normally be reached on Monday-Friday, 8:30 am - 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Meng An can be reached on (703) 305-9678. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



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